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January 30, 2003

03E-004 (1/8)

Kenneth N. Weinstein
Associate Administrator for Safety Assurance
National Highway Traffic Safety
Administration
400 Seventh Street, S.W.
Washington, D.C. 20590

Re: Bell Automotive Safety Hammer

Dear Mr. Weinstein:

This report is submitted on behalf of Bell Automotive Products, Inc., an importer of automotive convenience accessories, ("Bell Automotive"), 8388 East Hartford Drive, Suite 102, Scottsdale, AZ 85255 pursuant to the defect reporting regulations of the National Traffic and Motor Vehicle Safety Act, 49 C.F.R. § 573. We are submitting this report to advise the National Highway Traffic Safety Administration ("NHTSA") that Bell Automotive has begun and will complete a recall of a product called the Safety Hammer.

1. *Identification of motor vehicle equipment.* Since February 2, 2002, Bell Automotive has imported for sale a product called the Safety Hammer, which is a specialized tool designed and marketed exclusively for use after a motor vehicle accident. Bell Automotive's on-line catalog identified the product item ID 41017. <www.bellautomotive.com> The Safety Hammer was designed and manufactured by Autotek Products Limited, 807-807 Heng Ngai Jewelry Center, 4 Hok Yuen Street East, Honghom, Kowloon, Hong Kong. Bell Automotive purchased the Safety Hammer as an "off-the-shelf" product to complement its line of automotive convenience products. The suggested retail price for the Safety Hammer is \$9.99. It is designed to break a car window in order to exit the vehicle in case of an emergency. It also is equipped with a knife to allow the user to sever a jammed seat belt. Its packaging identifies the Safety Hammer as a "Life-Saving Escape and Rescue Tool." The packaging makes three claims:

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Kenneth N. Weinstein
January 30, 2003
Page 2

03E-004 (2/6)

1. "Dual Hammer Head Design Easily Shatters Safety Glass."
2. "Integrated Razor Sharp Knife Quickly Cuts Jammed Seat Belt."
3. "Easy Mounting Holster Keeps Safety Hammer Within Reach."

Based on the Safety Hammer's design and marketing claims, the product appears to be "motor vehicle equipment," which is defined in relevant part as "any device ... that is not a system, part or component of a motor vehicle and is manufactured, sold, delivered, offered, or intended to be used only to safeguard ... highway users against risk of accident, injury, or death." 49 U.S.C. § 30102(a)(7)(C).

2. *Total number of affected items of equipment.* Bell Automotive imported 21,000 Safety Hammers for distribution and sale from February 2002 to December 2002. It sold 19,750 of the products to 19 customers in the United States and Canada. The largest customer was Target Corporation which purchased 15,864 Safety Hammers; the next largest customer was its only Canadian customer, Canadian Tire Corporation Ltd. ("CTC"), which purchased 2,352 of the Safety Hammers. A complete list of customers and the number of Safety Hammers each purchased is attached as Exhibit A.

3. *Percentage of items of equipment potentially subject to the problem.* Because the problem with the Safety Hammer appears to be a defect in design, 100 percent of the products are assumed to contain the weakness described below.

4. *Description of the defect.* Based on the product testing discussed in the chronology, Bell Automotive believes that the plastic handle of the Safety Hammer was not designed to withstand the force required to shatter automotive safety glass. As a result the plastic ribs which hold the Safety Hammer's metal heads can break upon use, rendering the hammer no longer able to shatter glass.

5. *Chronology of principal events.* On December 3, 2002, Bell Automotive's Vice President was informed that a Canadian fireman, who purchased the Safety Hammer at CTC, had tested the product, and the hammer head had broken while he attempted to break auto glass. The fireman also reported that the blade did not cut the seat belt. The details of his tests were not provided. Bell Automotive has received no other consumer complaints or product failure reports concerning the Safety Hammer.

On December 12, 2002, Bell Automotive conducted an informal test of the product which produced evidence that the plastic ribs which held the hammer head in place broke allowing the hammer heads to be pushed back into the case. On the same day, it reported the Canadian complaint and its own test results to the manufacturer.

Kenneth N. Weinstein
January 30, 2003
Page 3

03E-004 (3/8)

On December 17, 2002, Bell Automotive was informed that Autotek planned to make design changes to the product. On December 23, 2002, it learned that a redesigned Safety Hammer, which appeared to be satisfactory, would soon be available. On December 27, 2002, Bell Automotive requested information regarding factory testing of products previously shipped to Bell Automotive. On December 30, 2002, Bell Automotive was informed that the factory had not used a testing laboratory or consulted any safety standards.

On January 2, 2003, Bell Automotive contacted Intertek Testing Services, a well-known company which tests consumer products, and requested testing of the original product and the redesigned product. On January 16, 2003, Bell Automotive received preliminary test results from Intertek which indicated that neither the original product or the redesigned product was able to break auto glass without also failing.

In early January 2003, Target Corporation was informed orally of Bell Automotive's concerns. Bell Automotive also placed a hold on any further shipments from its inventory. On January 24, 2003, Bell Automotive informed Target orally that Bell Automotive would recall the product. Bell Automotive has not contacted its other customers and informed them to stop selling the product.

6. *Program for remedying the defect.* Bell Automotive will inform Target Corporation its other customers to stop selling the Safety Hammer and to return all unsold quantities for a full refund. Bell Automotive believes that Target Corporation and its other customers have sold to consumers most Safety Hammers. Bell Automotive will send a notice to all customers requesting the return of all remaining Safety Hammers, and it will offer a full refund including shipping charges. Because this product has been widely distributed among Target stores, and Bell Automotive has no warranty cards or other means of identifying the purchasers, it plans to post a recall notice on its web site and work with its customers to develop an acceptable in-store notice to inform shoppers of the recall and the remedy. At this time, Bell Automotive has not decided to purchase a replacement product. Until such a product is offered, Bell Automotive will authorize the retail store to provide a full refund. It will ask the stores to request the return of the Safety Hammer to the stores, and Bell Automotive will obtain either a return of all such products or confirmation of their destruction.

7. *Notices already sent to customers.* Except for the oral notification of Target Corporation, customers have not been notified of the recall.

Kenneth N. Weinstein

January 30, 2003

Page 4

03E-004 (4/8)

8. *Proposed notification letter.* Also enclosed is a proposed letter from Bell Automotive informing each of its customers of the recall plan. A proposed in-store notification will be forwarded shortly.

9. *Manufacturer's campaign number.* Please advise the undersigned of the campaign number assigned to this recall.

Sincerely,



Michael A. Nemeroff
Attorney for Bell Automotive

EXHIBIT A

ITEM	CUST. ID	FirstOfCUST.NAME	Qty	Year
41017	16800	BARJAN PRODUCTS	372	2002
41017	51629	DOAK AUTOMOTIVE SPECIALTY	276	2002
41017	27928	LAHR, W E CO.DBA: MIDWEST AUTO	252	2002
41017	44901	ELGART (ROBERT) & SON	192	2002
41017	24700	SALVO AUTO PARTS, INC.	180	2002
41017	12150	SONNY'S ENTERPRISES, INC.	96	2002
41017	55000	MAR-LAC DISTRIBUTING CO. (INC.)	36	2002
41017	14010	2X-SELL MARKETING CO., LLC	24	2002
41017	55450	CUT RATE AUTO PARTS, SUBS OF:	22	2002
41017	43628	PERFORMANCE WAREHOUSE CO	18	2002
41017	88897	INSIDE SALES, ELCTRNC DW, MISC	18	2002
41017	05011	PREPAREDNESS OUTLET, TRADE FOR:	12	2002
41017	42877	MASSEY'S ACCESSORY SHOP	12	2002
41017	51981	AUCHAN U.S.A., INC.	8	2002
41017	68999	CENTRAL AUTO PARTS DIST	8	2002
41017	37100	HAHN AUTOMOTIVE WAREHOUSE, INC.	4	2002
41017	27300	WELLE AUTO SUPPLY, INC.	4	2002
41017-2	69900	TARGET STRS, DIV TARGET CORP.	15864	2002
41017-3	68614	CANADIAN TIRE CORPORATION LTD.	2352	2002

Proposed Notification to Bell Automotive Customers

[insert name and address of independent customer]

This notice is sent to you in accordance with the requirements of the National Traffic and Motor Vehicle Safety Act. Bell Automotive Products, Inc. ("Bell Automotive"), has decided that its Safety Hammer (ID 41017) has a defect which relates to motor vehicles safety.

1. *Identification of the motor vehicle equipment affected.* The Safety Hammer is identified by the attached picture. All Safety Hammers are being recalled.
2. *Description of the potential malfunction.* Bell Automotive believes that the plastic handle of the Safety Hammer was not designed to withstand the force required to shatter automotive safety glass. As a result, the plastic ribs which hold the Safety Hammer's metal heads can break upon use, rendering the hammer unable to shatter glass.
3. *Precautions to reduce the chance that the malfunction will occur before remedy.* Retailers to whom Bell Automotive has sold the Safety Hammers should remove all such products and refrain from selling any additional hammers. Bell Automotive authorizes a recall of all Safety Hammers sold to consumers and will refund the sales price and cover all reasonable recall costs incurred by its customers.
4. *Evaluation of risk to motor vehicle safety.* The Safety Hammer is designed to be used in a vehicle emergency which requires the motorist to break a window to exit the vehicle. Tests performed by Bell Automotive indicate that customers should not rely on the Safety Hammer because it may fail without successfully breaking automotive glass. Customers should be urged to return the Safety Hammer to the retailer for a full refund.
5. *Remedial measures.* Bell Automotive is acting promptly to remedy this problem. Each retailer is encouraged to notify any of its customers who have purchased the Safety Hammer regarding the defect, the recall, and the refund of the purchase price paid by the customer. Bell Automotive will work with you to develop appropriate store notices of the recall. You may contact your sales representative with any questions you may have. The return of the Safety Hammers will be at no cost to you or any of your customers who have purchased the Safety Hammers from you.
6. *Complaints.* You may submit a complaint to the Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590, or call the toll free Auto Safety Hotline at 800-424-9393 (Washington, D.C. area residents may call 202-366-0123), if you believe that Bell Automotive has failed, or is unable, to remedy the problem with the Safety Hammers without charge, or has failed or is unable to do so within a reasonable time.

03E-004 (7/8)

Bell Automotive sincerely apologizes for any inconvenience. We know, however, that you share our concern for motor vehicle safety. Thank you for your cooperation.

Sincerely,

[Bell Automotive Official]



Bell Automotive Products, Inc

PRODUCT CATALOG

Wednesday, January 15, 2003

CATEGORIES -- GENERAL ACCESSORIES

03E-004 (8/8)

Product Detail - ID 41017



Name	Safety Hammer
Description	
UPC#	076027410177
Inner Qty	2
Master Qty	12
Package Type	
Package Height	10.75
Package Width	5.75
Package Depth	1.5

[Home](#) | [Product Catalog](#) | [FAQ](#) | [Retailers](#) | [Sales Reps](#) | [Jobs](#) | [Links](#) | [About Us](#) | [Contact Us](#)

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